

United States District Court  
FILED

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA 42  
CRIMINAL DIVISION

VENUE: SAN FRANCISCO WICKING  
DISTRICT COURT  
THE NORTHERN DISTRICT OF CALIFORNIA

CR 08

0394

UNITED STATES OF AMERICA,

v.

JOEL GUADALUPE DUARTE-ANAYA

JSW

DEFENDANT.

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INDICTMENT

Title 8, U.S.C. §1326 - Illegal Reentry Following  
Deportation

*Indict*

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A true bill.

*J. Valencia*  
\_\_\_\_\_  
Foreman

Filed in open court this 12 day of June  
2008

*R. Stahl*  
\_\_\_\_\_  
Clerk

*Ronald J. Stahl, Clerk*  
\_\_\_\_\_  
Bail \$ no process

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

Title 8 U.S.C., Section 1326 - Illegal Reentry by  
an Alien After Deportation (Class C Felony)

- Petty  
 Minor  
 Misdemeanor  
 Felony

**PENALTY:**

Maximum Prison Term of 20 Years;  
 Maximum Fine \$250,000;  
 Maximum Term of Supervised Release of 3 Years;  
 Mandatory Special Assessment of \$100.

**PROCEEDING**

Name of Complaintant Agency, or Person (&Title, if any)

Department of Homeland Security/Immigration Customs Enforcement

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y  Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

08-70324

Name and Office of Person Furnishing Information on THIS FORM

JOSEPH P. RUSSONIELLO

U.S. Att'y  Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

Allison M. Danner

Name of District Court, and/or Judge/Magistrate Location  
**NORTHERN DISTRICT OF CALIFORNIA**

DEFENDANT - U.S.

JOEL GUADALUPE DUARTE-ANAYA

DISTRICT COURT NUMBER

**JSW**

**CR 08**

**0394**

**DEFENDANT****IS NOT IN CUSTODY**

- Has not been arrested, pending outcome this proceeding.  
 1)  If not detained give date any prior summons was served on above charges
- 2)  Is a Fugitive
- 3)  Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)  On this charge
- 5)  On another conviction
- 6)  Awaiting trial on other charges }       Fed'l     State

If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes     No    } If "Yes" give date filed

DATE OF ARREST    }      Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**

SUMMONS  NO PROCESS\*     WARRANT    Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment     Initial Appearance

Defendant Address: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

1 JOSEPH P. RUSSONIELLO (CABN 44332)  
2 United States Attorney

FILED

06 JUN 12 PM 2:42

REGISTRATION NO. 100-100-100  
FEBR. U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-Filing

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CR 08

0394

No.

VIOLATION: 8 U.S.C. § 1326 – Illegal Reentry Following Deportation

JSW

12 UNITED STATES OF AMERICA, )  
13 Plaintiff, )  
14 v. )  
15 JOEL GUADALUPE DUARTE-ANAYA, ) SAN FRANCISCO VENUE  
a/k/a Joel Guadalupe, )  
a/k/a Joseph Mendez, )  
a/k/a Joel Anaya, )  
a/k/a Jose Duarte )  
a/k/a Carlos Diaz )  
18 Defendant. )  
19

INDICTMENT

22 The Grand Jury charges:

23 On or about June 27, 2007, March 9, 2005, November 23, 2001, and November 20, 1999,  
24 the defendant,

25 JOEL GUADALUPE DUARTE-ANAYA,  
a/k/a Joel Guadalupe,  
a/k/a Joseph Mendez,  
a/k/a Joel Anaya,  
a/k/a Jose Duarte  
a/k/a Carlos Diaz,

1 an alien, was excluded, deported and removed from the United States, and knowingly and  
2 voluntarily reentered the United States and, thereafter, on or about April 1, 2008, was found in the  
3 Northern District of California, the Attorney General of the United States and the Secretary for  
4 Homeland Security not having expressly consented to a re-application by the defendant for  
5 admission into the United States, in violation of Title 8, United States Code, Section 1326.

6

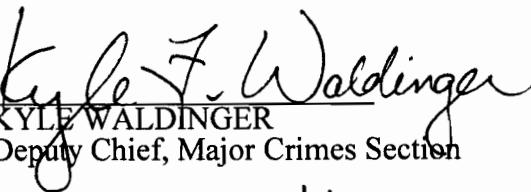
7 DATED:

A TRUE BILL.

8 6-12-08

9   
FOREPERSON

10 JOSEPH P. RUSSONIELLO  
United States Attorney

11   
12 KYLE WALDINGER  
13 Deputy Chief, Major Crimes Section

14  
15 (Approved as to form:  )  
AUSA DANNER

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